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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/210,373 12/14/98 FUJIKI

H KOJIM-264

EXAMINER

IM22/0118

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RAJGURU, U

ART UNIT

PAPER NUMBER

1711

DATE MAILED:

01/18/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE — 3 — MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on Oct 21, 1999 (paper no 4)
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-3 and 7-24 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 13-24 is/are allowed.
- ☒ Claim(s) 1-3 and 7-12 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 212 ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other \_\_\_\_\_

Office Action Summary

Art Unit: 1711

1. An amendment has been filed on October 21, 1999 (paper no. 4).
2. Claims 13-18 and 24-25 are renumbered as 12-17 and 23-24 resp. (Rule 1.126).
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3 and (newly added) 7-12 are rejected under 35 U.S.C. 103(a) as being *unpatentable over Tarumi et al (USP 4518524) in view of Stoetzer (USP 4518524)*

This rejection is incorporated here by reference from prior office action paper no. 3, section 1, pages 2-3.

Applicant's arguments filed October 21, 1999 (paper no. 4) have been fully considered but they are not persuasive.

On page 5, last paragraph paper no. 4, the applicants argue that there is no motivation in *the prior art to modify Tarumi with Stoetzer*. This argument is not persuasive because if one of ordinary skill in the art wants to render the composition of Tarumi conductive, one would surely incorporate conductive (metallic) particles into that composition. It is quite well-known in the *art that such particles not only induce but also enhance conductivity*. Applicants further on page 7, paragraph 2 of same paper, conclude that there is no suggestion from the art of any reasonable expectation that silver particles of Stoetzer would be compatible in composition of Tarumi. *This* ~~its~~ conclusion is without any basis (and therefore not persuasive) in absence of any *supportive* ~~support~~ experimental data therefore.

4. Claims 13-24 are allowable.

Art Unit: 1711

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to U.K. Rajguru whose telephone number is (703) 308-3224. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (703) 308-2462. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Application/Control Number: 09/210373

Page 4

Art Unit: 1711

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



U.K. Rajguru/om  
January 15, 2000

James J. Seidleck  
Supervisory Patent Examiner  
Technology Center 1700